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FOR MARITIME AND NEUTRAL RIGHTS.

ADDRESS
OF
GEN'L HIRAM WALBRIDGE,
AT THE GRAND
CORPORATION BANQUET,
BY THE
MUNICIPAL AUTHORITIES
OF THE
CITY OF NEW YORK,
IN COMMEMORATION OF THE
Anniversary of Washington's Birthday,
AT THE ST. NICHOLAS HOTEL,
February 22, 1862.

GIBSON BROTHERS,
PRINTERS.

ADDRESS
OF
GENERAL HIRAM WALBRIDGE.

[From the New York Herald of February 23, 1862.]

The Chairman then announced the third regular toast:

“THE UNION—THE EFFORTS TO SEVER IT WILL ONLY
MAKE IT MORE DEAR TO THE HEARTS OF THE PEOPLE
OF THE WHOLE COUNTRY.”

MUSIC—“FLAG OF OUR UNION.”

General H. WALBRIDGE, after paying a tribute to the heroism and courage of the loyal soldiers and officers of the Union, whose recent patriotic triumphs had enabled us to commemorate with additional interest the birthday of the illustrious Washington, continued:

Mr. Mayor, Gentlemen of the Common Council, and Fellow-Citizens:

Nations are respected as they demonstrate their ability to enforce their decrees. Upon the accession to the control of the government of the present administration, the Chief Magistrate, through our department of Foreign Relations, brought to the knowledge of the European governments his fixed purpose to uphold, maintain and defend the integrity of the Union against all domestic treason and foreign interference. In the pursuit of this purpose, the United States, according to the usages of international law, declared the ports of the refractory States to be under blockade. We had illustrated our ability to maintain this policy by our embargo and non-intercourse laws in the early part of the present century. Intimations from the British Foreign Secretary, and his representative, the British Minister at Washington, were

cautiously put forth of our inability to maintain this effective blockade according to the requirements of the laws of nations. It was proposed by the British representative, that the right to trade to the indierdicted ports should continue until some formal notice should be given to the different foreign governments of commercial nations. Our Government justly let it be distinctly understood that proper notice could and would be given from the decks of our blockading squadron.

Simultaneously with these proceedings, leading English merchants in Liverpool formally and publicly proposed to Lord John Russell the fitting out, if not dissented to by him, of an armed force to break the blockade, and forcibly export the great staple of the South. They deliberately asked the British government to give its countenance to despoil their transatlantic neighbors. The British government were not prepared in this public way to do violence to sound international law and to the moral sentiment of the civilized world.

The administration, alive to the necessity of energetic action, promptly despatched to the courts of the Western Powers two distinguished citizens to London and Paris. These envoys were expected soon to reach their destination, their appointment having been publicly announced through the press immediately upon the opening of the new administration. On the 13th of May, 1861, our Minister, Mr. Adams, reached Liverpool, and the day following London, in order that the British government might be early apprised of the views and purposes of the American Cabinet. The British government, however, on that very day, issued the Queen's Orders in Council, with pharisaical words of neutrality in regard to our domestic trouble, virtually and in fact recognizing the insurgent States as belligerents, and, in that respect, placing them on an equal footing with the United States.

Looking to the imminent struggle before us, and desirous of an explicit understanding with the European Powers in reference to the principles of public law which had been enunciated in the Paris conferences in April, 1856, with the several maritime Powers of Great Britain, Austria, France, Russia, Prussia, Sardinia, and Turkey, our State Department

instructed our Ministers at St. James and other courts to resume the subject of the four propositions that had been agreed upon by the Congress at Paris after the close of the Crimean war.

This matter had occupied the attention of the Pierce administration when an invitation had been extended to this Government to become a party to the treaty which was the result of the Paris conferences. Those conferences in April, 1856, recognized as principles of public law the following declaration:

First. Privateering is abolished.

Second. Neutral flag covers enemy's goods, contraband of war excepted.

Third. Neutral goods are not liable to capture under enemy's flags, except those contraband of war.

Fourth. Blockades, in order to be binding, must be so effectively enforced as to prevent access to the coasts of the enemy.

It was stipulated by those Powers that these declarations were to be accepted without any modification whatever, and further, that the parties giving in their adherence to the same enter into no arrangement in the application of maritime law, in time of war, without a stipulation or strict observance of the points thus agreed upon. The second of these propositions was a principle that the American people had contended for from the foundation of the republic. It was, in fact, the principle that free ships make free goods—a stipulation embodied in the twenty-third article of the treaty of amity and commerce concluded on the 6th day of February, 1778, between the United States and France, when we were struggling for national existence. It was, therefore, old American doctrine. The said second proposition, as well as the third, was not original with the high contracting parties at the Congress of Paris in 1856, because two years previous the President had submitted to the maritime Powers of Europe the same propositions, to be agreed upon as permanent principles of international law. The fourth proposition was

never disputed by this Government; on the contrary, it was always acquiesced in by the United States, everywhere, and under all circumstances. The first proposition remains to be considered—to wit: the proposition to abolish privateering.

The Secretary of State, Mr. Marcy, under President Pierce, in July, 1856, declined this stipulation in regard to the abolition of privateering, unless with an amendment expressly exempting private property of individuals, though belonging to a belligerent Power, from seizure or confiscation by national ships in time of war; and further, he took exception to the proposition that this Government should disable itself from entering into any negotiation for any modification of the laws of maritime war without stipulating an adherence to the four points of the Paris declaration. This last proposition was held by Mr. Marcy to be inconsistent with the national sovereignty of the United States.

The grounds taken for Mr. Marcy's amendment to the first clause for abolishing privateering, to wit: the exemption of private property of a belligerent from confiscation, exhibits a humane, enlarged and liberal spirit on the part of the American people. It was simply this, that whilst armies by land and fleets at sea were engaged in battle for victory, the peaceful pursuits of trade should go on uninterrupted, regarding the destruction of private property on the sea as offensive to the morals and civilization of the age, as the destruction of private property on land.

As the propositions of the Paris conference were to be taken together without modification, or rejected, nothing was definitely done in the premises during Mr. Pierce's administration, and during that of Mr. Buchanan all conferences on the part of the United States in regard to the matter came to an end. Undoubtedly the leading obstacle was the proposition to abolish privateering, that right arm of our defence as a great commercial power, with a then inconsiderable navy. It was quite easy for nine-tenths of the parties who gave in their adherence to the Paris conferences to agree to an interdict against privateering, when, perhaps, their commercial marine was not sufficient to fit out a single vessel.

England and France had been in constant and jostling rivalry in the building up, within the last ten years, of gigantic navies, ranging from seven to eight hundred ships-of-war, as guarantees to each other to keep the peace at home.

The late Duke of Wellington announced, in his place in the House of Lords, the comparatively defenceless condition of the English coasts, in view of the formidable armaments of France, with all the modern improvements and application of steam power.

France, on the other hand, as if in the remembrance of the weakness of the First Napoleon in a maritime point of view, has put forth her tremendous resources, in rivalry and power, in the creation of a navy, now fully equal to that of England,

Meanwhile, the navy of the United States bore a most inconsiderable relation to our great commercial marine; yet, in the war of 1812, it had won unfading laurels and secured for us, in the combats of a single year, a position destined ultimately to be subordinate to none other on the sea. The American commercial marine has advanced from a little more than three-fourths of a million in tonnage, at the close of the war with Great Britain, to five and a half millions of present tonnage—five hundred thousand tons greater than the whole commercial tonnage of that great maritime Power which traffics with her sixty colonial dependencies, reaching around the entire habitable globe. Whilst the fleets of the Western Powers have borne a large ratio of protection to their commercial marine, our navy has remained comparatively stationary, and, until recently, held a most inferior relation to the magnitude of the great commercial interests to be protected.

France and England are not insensible to our immense resources—the skill and ability of our people rapidly to enlarge our navy to formidable proportions; yet they, at the same time, know that we have preferred to prosper rather by the arts of peace and industry than through the agency of large standing armies or formidable naval armaments. They were not ignorant of the delays in legislating in a popular government like ours, and it is to be feared that they made some

calculations on the advantages resulting from sudden irruptions upon us, which, as monarchies, they could make, and hence their reasons for interdicting—our acknowledged right under the public law—of arming our commercial marine in any contest in which we might be engaged. Great Britain had felt the wounds of this instrumentality in our last struggle with her, in vindication of our maritime rights.

The sincerity of the Paris declarations in regard to private property on the high seas was brought to the test by Mr. Marcy's amendment, which, in fact, revealed the real purpose in regard to the first point of the Paris conferences, which was to disable us of that formidable means of defence which had, in our war of 1812, rendered such signal service.

The uninterrupted peace and prosperity which have marked our national progress since this last period had rendered the American public mind insensible to the urgent necessity of definite, fixed and publicly recognized international legislation upon the questions of their maritime and neutral rights, until the present extraordinary conjuncture of public affairs, which now disturbs us at home and convulses and threatens the world abroad. Our domestic complications rendered it necessary that we should have, at an early day, a distinct understanding with the commercial Powers of the Old World in regard to the rights of neutrals. This policy has been pressed with all the dignity and ability that becomes a great and powerful nation.

At an early period in our domestic difficulties it became important to disable the unscrupulous neutral Powers from aiding or abetting the rebel flag to prey upon the commerce of the United States. To this end the distinguished Secretary of State of the United States addressed a circular to the Ministers of the United States at Great Britain, France, Russia, Prussia, Austria, Belgium, Italy, and Denmark, directing each of them to ascertain whether it was disposed to enter into negotiations for the accession of the United States to the declaration of the Paris Congress, at the same time expressing the President's approval of the Marcy amendment; yet, in consideration of the changed condition of public affairs, and, in view of the

raising of the standard of revolt, proposing a convention upon the subject of the rights of belligerents and neutrals, in which the United States expressed a willingness to become a party to the Paris stipulations, pure and simple. At as early a period as the 10th of April, 1861, the Department of State of the United States instructed Mr. Adams at London—

“That the recognition of the so-called Confederate nations, must be deemed equivalent to a deliberate resolution by her Majesty’s government that this American government, which has so long constituted a sovereign nation, shall be now permanently dissolved, and cease to exist forever.”

The same despatch being designed to remind the British government that—

“The British empire itself is an aggregation of divers communities, which cover a large portion of the earth, and embrace one-fifth of its entire population; that some, at least, of these communities are held to their places in that system by bonds as fragile as the obligations of our own Federal Union; that the strain will some time come which is to try the strength of these bonds, though it will be of a different kind from that which is trying the cords of our confederation.”

These admonitions of the hostile aspect in which a recognition by Great Britain of the seceded States would be regarded by this Government was thus pointedly brought home to the mind of the British Minister of Foreign Affairs. The despatch conveying them bears date fourteen days before that authorizing a renewal of the conference on the Paris modifications in 1856 of the public law. By a despatch on the 21st of May, 1861, from the Secretary of State to our Envoy at London, he was instructed to—

“Desist from all intercourse whatever, unofficial as well as official, so long as it shall continue intercourse of either kind with the domestic enemies of this country; and, further, that British recognition would be British intervention to create, within our territory, a hostile State, by overthrowing this Republic.”

On the 21st of May, 1861, our Minister opened, with due formality, to Lord John Russell, the proposal to negotiate in regard to neutrals in time of war, stating that the necessary powers had been transmitted to him, with a form of convention, which he proposed to present if there was any disposition

to pursue the matter. The British Foreign Secretary expressed his willingness to negotiate, but stated his desire to leave this subject in the hands of Lord Lyons, at Washington, to whom, as he intimated, authority had been transmitted to assent to any modification of the only point in issue with the government of the United States. This apparently clear, explicit and frank understanding has a most remarkable sequel, which is pointedly sketched in our Minister's despatch of the 12th of July, 1861, stating that his "prevailing feeling has been one of profound surprise at the course of the British government throughout the present difficulty, to wit: First. It prepares, in the form of instructions to Lord Lyons, a paper to be presented to the Secretary of State of the United States, among other things virtually asking him to concede the principles laid down in the declaration of the Congress of Paris in 1856. Second. When in obedience to Mr. Adams's instructions he proposes to offer a *projet* to Lord John Russell, actually designed to do the very thing desired, he is told that directions have already been sent out to Lord Lyons to arrange the matter on the basis proposed by the American government, of the three articles, omitting the fourth altogether. Third. Lord Lyons expresses the opinion to the Secretary of State of the United States that his instructions do not authorize him to enter into a convention with the United States. Fourth. When, concurrently with these events, Mr. Dayton, at Paris, proposes to negotiate on the same business with France, Mr. Adams is informed that this proposal has been communicated to the Ministry in London, and that no definite conclusion has been arrived at. Mr. Adams, in the courtly language of diplomacy, observes, "that a more remarkable series of misunderstandings has seldom come within his observation."

He might have said, in strict truth, that more remarkable tergiversation, on the part of Great Britain, was never found in the records of diplomacy. Mr. Adams was given to understand that the Marcy proposition was inadmissible; but as he was instructed not to insist upon it, Lord Russell proposed to take a copy of the *projet* of the convention for the consid-

eration of his colleagues. The result of that consideration is made known in Lord Russell's communication, dated July 31, 1861, twelve days after the battle of Bull's Run, in which he expresses his readiness "to carry on the negotiations as soon as the necessary arrangements can be perfected in London and Paris, so that the conventions may be signed simultaneously at these two capitals," yet coupling with that statement the following remarkable passage: "I need scarcely add, that, on the part of Great Britain, the engagement will be prospective, and will not invalidate anything already done."

Here is the first glimmering intimation of the ulterior purposes of Great Britain, by the assumption of a position unfriendly to the dignity and interests of the United States. Mr. Adams, in reference to this sentence, in his despatch of August 2, 1861, states that he must frankly admit that he does not understand the meaning of this last paragraph. Our Minister, however, is not suffered long to remain in ignorance of the real purpose of the British Secretary. The unfortunate occurrences of the 21st of July, 1861, in the vicinity of Manassas, had ripened the purposes of the British Secretary, as we find in his note of the 19th of August, 1861, from the Foreign Office to Mr. Adams, in which he proposed, upon signing the convention according to Mr. Adams's draft, embodying the articles of the declaration of Paris, to append the following extraordinary declaration:

In affixing his signature to the convention of this day between her Majesty the Queen of Great Britain and Ireland, and the United States of America, the Earl Russell declares, by order of her Majesty, that her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States.

At this conjuncture of public affairs, there appeared, at the close of the month of August, 1861, a publication in the London *Globe*, dated more than four months previous, at the Foreign Office, strictly in official form, from Lord Russell to Mr. Edwards, respecting the then proposed annexation of the territory of the Dominican State to the dominions of Spain.

It is in honeyed phrases of warm and friendly terms, yet stepping out of the way officially to animadvert upon and speak of our country as in a state of disruption. The noble Lord acquiesces in the statement, in these terms: "That there is no probability at present of any positive resistance to the measure, either by the Northern or Southern confederation in North America." Mark the words.

We can best illustrate the great injustice here done us by assuming like expressions on the part of our government when the question of repeal was agitated by the O'Connell influence, in 1846, to an extent that threatened the separation of the United Kingdom; yet earlier, when the Canadas were in revolt in 1837 and 1838, seeking independence; and at another period more recent, when the Anglo-Indian empire, with over one hundred and fifty millions of people, alien in race and in religion, shaken to the foundation by the storm of war, had circumstances existed as they did exist, in which we were in diplomatic correspondence with Spain, had we referred to Ireland as a separate kingdom or protectorate, or to the Canadas as an independent sovereignty, or to the Rajahs of India as *de facto* authorities, when the English were falling before them, what would have been the spirit and purpose of such a reference but one of hostility and gratulation at the supposed approaching disintegration of the British empire? We asked to become a party to the humane principles of public law embodied in the Paris declarations to which we had originally been invited to become a party, to which forty-six different nations had become parties, including Hayti, and German principalities so inconsiderable as not to be even noticeable upon the map of the commercial world. But this was denied unless coupled with the humiliating condition not required of even the most inconsiderable of any of the other contracting parties.

It is a matter of historical and universal notoriety that the French crown has been in controversy for the last half-century between three great dynasties—the princes of the elder Bourbon line; those of the Louis Philippe; the third, and the now successful one, in the imperial dynasty of Napoleon.

Suppose, in the conferences at Paris, in 1856, the British government had coolly suggested to the French Emperor the importance, in the event of an outbreak in France, and conflict for the throne, that it must be understood that those declarations, then signed on the part of Great Britain, should have no bearing upon such contingencies as those to which I have referred, there would be no difficulty in reaching the conclusion that the amicable relations between Great Britain and France would be at an end—an insult that would not have been forgiven by the French Emperor or the French people. The United States are not, however, without a moral triumph in this respect. The principles for which they had contended and formally proposed in 1854, and in the earliest periods of our history, have triumphed over the irregular and arbitrary principles contended for and practised by Great Britain during the wars of the French Revolution. Those arbitrary exactions led to our struggle in 1812; but they finally practically gave way in the opening of the Crimean war, with the dread of conflict with this republic, had the attempt been made to force them upon us as a neutral and independent Power.

We had, at the outset of our difficulties, given as a prominent reason for our proposed adherence to the Paris declarations, the fact that a misguided portion of our people had raised the standard of revolt, and declared their purpose of inviting privateers to prey upon the commerce of the Union. This reason was assigned by us as far back as the 24th of April, 1861; yet, to the 31st of July, in the same year, the slightest intimation had not been given of any dissent or objection on the part of the British government.

The despatches of a Mr. Bunch, British Consul at Charleston, when captured by the vigilance of our sea police, revealed the fact that he was in close and intimate intercourse with the authorities of the revolting States. He communicated the fact that the British authorities had approached the rebel government, seeking their acquiescence in the principle that the neutral flag covering neutral goods was to be respected. Upon this discovery our government demanded the recall of

this Mr. Bunch (of iniquity.) The British Secretary declined, however, to accede to this request; and our Government, on the 23d of October, 1861, determined to revoke the exequatur of the Consul, “who has not only been the bearer of communications between the insurgents and a foreign government, in violation of our laws, but has abused equally the confidence of the two governments by reporting, without the authority of his government, and in violation of their own policy, as well as of our national rights, that the proceeding in which he was engaged was in the nature of a treaty with the insurgents, and the first step towards the recognition by Great Britain of their sovereignty.”

Upon the instant of the Trent affair and the capture of the two rebel emissaries, our government despatched advices to our Minister at London that the capture was unauthorized; and, upon the formal application of the British government, these representatives of the revolted States would be surrendered. In this our government rested their action upon the great American doctrines of public law, which we have constantly asserted since the origin of the government. The despatch of Earl Russell, in acknowledging their release, attempts to controvert the positions of our government, as submitted in the able despatch of our Secretary of State.

Lord Russell, in his letter to the Liverpool Shipowners' Association, responds to that burst of apparent indignation, with which the London *Times* seeks to animadvert upon the action of our government, by closing, for the time being, through the agency of a stone blockade, the harbor of the rebellious city of Charleston. This stone drift, a temporary expedient, designed to be corrected as occasion and convenience may suggest, and when the rights of all concerned shall demand it, is an exceedingly limited affair to be brought up in the form of such an indictment. Let us see whether we have not, in the history of this great public censor, abundant evidence to demonstrate that it is a familiar practice in maritime war. As early as 1804, in a despatch dated February 9, of that year, marked “most confidential,” from Lord Hobart, in Downing street, to the Comptroller of the

British Navy, measures were taken, by the King's command, for secretly choking up with stone the entrance into the harbor of Boulogne, in France, as Richelieu, the great statesman, had done in 1628, by blocking up the harbor of Rochelle for the distance of nearly a mile. When the British people were waging a war against the thirteen colonies they sunk stone obstructions in the channel at Savannah, Georgia, which remain to this hour. In 1807 the British Admiral Lewis, upon leaving the narrow entrance at Alexandria, Egypt, sunk five ships loaded with stone. At a still later period, within sight of the present hour, Lord Napier, during the Crimean war, recommended the sinking of rocks to prevent any intercourse with the harbor of Cronstadt. During the progress of that war the Russians themselves choked up the harbor of Sebastopol to prevent the destruction on that side of the fortifications by the combined fleets of France and England.

The present exposition of British opinion, therefore, was unknown in 1779, 1804, 1807, and 1854, for then they did those very acts, and justified them as principles of public law, which they now denounce in our case as barbaric crimes.

Pending the struggle in which we are engaged to preserve intact the constitutional liberties of the American people, until recent events connected with the success of our arms demonstrated our ability to settle and adjust our own domestic differences if left to ourselves, foreign intervention has been repeatedly threatened.

Our condition has been assimilated to that of the Turks when engaged in civil strife with Greece, resulting in the severance of the latter by armed intervention from the Turkish Power, and the destruction of the Turkish fleet in the Bay of Navarino. This intervention has already been extended to distracted and unfortunate Mexico.

IN MY HUMBLE JUDGMENT, IT IS THE DUTY OF THE WHOLE AMERICAN PEOPLE TO PROTEST AGAINST THE INTRODUCTION OF SUCH INTERVENTION IN THE ADMINISTRATION OF ANY PEOPLE, LIVING ON ANY PORTION OF THE WESTERN HEMISPHERE, AS ALIKE DANGEROUS TO OUR PEACE AND SAFETY. After the overthrow of the great

Napoleon, the despotic Powers in Europe put forth the pretension of interfering in the internal affairs of France. This was done at Trapau and Laybach ; but Lord Castlereagh protested in behalf of the British nation. In 1823 the Congress of Verona interfered in the internal government of Spain. Mr. Canning, however, declared that the principles laid down by the Allies in that respect struck at the very existence and vitals of the British constitution. If, under all these circumstances, intervention be meditated, and our lawful and efficient blockade, in accordance with the sound principles of international law, be attempted to be broken by any Power or combination whatever, they must count the cost of war with a spirited and independent people, flushed by recent overwhelming victories, with 700,000 armed men now in the field, and a country larger than all Europe, destined, sooner or later, to exercise a controlling influence in the affairs of mankind.

The chairman then read the fourth regular toast—

“The President of the United States.” Drunk in silence.

Alderman Dayton here read the following letters of apology from the Secretary of State and the Postmaster General:

MR. SEWARD'S LETTER.

DEPARTMENT OF STATE,
WASHINGTON, *January 20, 1862.* }

GENTLEMEN—I have been honored with three several invitations by as many distinct public bodies of citizens in New York, to join them in celebrating the anniversary of the birthday of the Father of our country and founder of the American Union. I am also commanded by Congress to meet them for the same holy purpose in this Capital. Never before did I so much lament that I have not the power to be everywhere at once. I rejoice that I can be here. I should be glad to be with you. I regret I cannot be with the other masses of my fellow-citizens in New York. I wish that I could be in the old capitol at Albany, on my own door sill

at Auburn, with the army in Kentucky, with the navy at Charleston, in London to thank the grateful Queen, and in Paris to ask a presentation to the sagacious Emperor; at Vienna, at St. Petersburg, at Turin, and at Constantinople, to bear testimony to all those places at once, before thrones, principalities and powers, that the children of Washington are yet equally loyal to his memory and faithful to his precepts.

I am, gentlemen, with high regard,
Your obedient servant,

WILLIAM H. SEWARD.

To the Board of Aldermen and Board of Councilmen of the city of New York.

MR. BLAIR'S LETTER.

GENTLEMEN—I have your note of yesterday, and beg you to express to the corporate authorities of the city of New York my thanks for the honor they have done me by the invitation they give to dine with them at the anniversary of Washington's birthday, and I assure them but for the invitation of Congress to participate in the ceremonies ordered in the Capitol for the celebration of that day, I should have been with you in the great metropolis.

I am, gentlemen, with great respect,

M. BLAIR.

WASHINGTON, *February* 20, 1862.

To the Joint Committee of the Common Council of the city of New York.

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